

ORDINANCE-3864

AN ORDINANCE TO AMEND SECTION 207
OF THE CITY ZONING ORDINANCE
PERTAINING TO BUILDING-MOUNTED
ANTENNAS, SMALL WIRELESS FACILITIES
AND TEMPORARY COMMUNICATION
TOWERS

Section Amended: § 207

WHEREAS, the public necessity, convenience, general welfare and good zoning practice so require;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VIRGINIA
BEACH, VIRGINIA:

That Section 207 of the City Zoning Ordinance is hereby amended and reordained to read as follows:

Sec. 207. Building-mounted antennas, small wireless facilities and temporary communication towers.

....

- (c) *Special provisions for temporary communication towers.* Temporary communication towers meeting the requirements of this subsection shall be allowed as principal uses where so provided by the regulations of the district in which they are located:

(1) ~~Maximum height shall be one hundred (100) feet; Temporary communication towers shall be permitted during one of the following events:~~

- (i) Used in conjunction with an event permitted pursuant to City Code section 4-1 (special event permits);
- (ii) Frequency and modulation testing to evaluate system performance and the need for additional wireless facility sites;
- (iii) Supplementing communications coverage when a previously permitted wireless facility has become involuntarily non-operational through an accident or natural disaster;
- (iv) A substantial increase in the communications needs of the locality due to an emergency declared by the locality, Commonwealth, or federal government;
- (v) Any other reason deemed necessary and appropriate by the City Manager or their designee.

- (2) ~~Maximum duration shall be the longer of (i) five (5) days; (ii) where used in conjunction with an event permitted pursuant to City Code section 4-1 (special events permits), forty eight (48) hours prior to and after such event; or (iii) in~~

~~cases of declared emergencies resulting in the disablement of existing telecommunications facilities, the duration of the emergency; 180 days. Requests for extensions must be made in writing prior to the expiration of the approval period and may be granted for a period not to exceed two years, including the initial 180 day period;~~

(3) Temporary communication towers shall not have a permanent location on the ground, including the pouring of a concrete footing or the laying of a permanent foundation;

~~(3)~~ (4) Minimum setback from any residential district or use, as measured to the nearest lot line of such district or use, shall be two (2) times the height of the tower or one hundred fifty (150) feet, whichever is greater;

~~(4)~~ (5) No grading or removal of vegetation shall be permitted;

~~(5)~~ (6) Noise from generators shall not exceed sixty-five A-weighted decibels (65 dBA) at a distance of twenty (20) feet from the noise source;

~~(6)~~ (7) No signage or lighting other than as may be required by law shall be allowed;

(8) Temporary support structures shall be removed at the cost of the owner and the site restored to its previous condition within 48 hours of the end of the approval period.

~~(7)~~ (9) A certification that the tower is capable of supporting the total anticipated capacity of the tower, including all appurtenances, and a certification that all equipment intended to be affixed to the proposed tower comply with all applicable regulations promulgated by the Federal Communications Commission pertaining to the emission of radio frequency radiation shall be required prior to deployment of the tower. Such certifications shall be under seal from a professional engineer licensed in Virginia; and

~~(8)~~ (10) No temporary communication tower shall be allowed east of Pacific Avenue from 4th Street to 42nd Street.

Adopted by the Council of the City of Virginia Beach, Virginia, on the 7th day of July, 2026.